

**U.S. District Court
District of Columbia (Washington, DC)
CIVIL DOCKET FOR CASE #: 1:18-cv-02916-KBJ**

PHILLIPS v. U.S. DEPARTMENT OF HOMELAND
SECURITY
Assigned to: Judge Ketanji Brown Jackson
Cause: 05:552 Freedom of Information Act

Date Filed: 12/12/2018
Jury Demand: None
Nature of Suit: 895 Freedom of
Information Act
Jurisdiction: U.S. Government Defendant

Plaintiff**JOSHUA PHILLIPS**

represented by **Merrick Jason Wayne**
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
Fax: (312) 243-5902
Email: merrick@loevy.com
ATTORNEY TO BE NOTICED

Joshua Hart Burday
LOEVY & LOEVY
311 N. Aberdeen Street
Third Floor
Chicago, IL 60607
(312) 243-5900
Fax: (312) 243-5902
Email: joshhb@loevy.com
ATTORNEY TO BE NOTICED

V.

Defendant**U.S. DEPARTMENT OF HOMELAND
SECURITY**

represented by **Jeremy S. Simon**
U.S. ATTORNEY'S OFFICE FOR THE
DISTRICT OF COLUMBIA
555 Fourth Street, NW
Washington, DC 20530
(202) 252-2528
Fax: (202) 252-2599
Email: jeremy.simon@usdoj.gov
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
12/12/2018	<u>1</u>	COMPLAINT against U.S. DEPARTMENT OF HOMELAND SECURITY (Filing fee \$ 400 receipt number 0090-5835219) filed by JOSHUA PHILLIPS. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Civil Cover Sheet Civil Cover Sheet, # <u>4</u> Summons Summons)(Burday, Joshua) (Entered: 12/12/2018)
12/12/2018	<u>2</u>	NOTICE of Appearance by Joshua Hart Burday on behalf of JOSHUA PHILLIPS (Burday, Joshua) (Entered: 12/12/2018)
12/13/2018		Case Assigned to Judge Ketanji Brown Jackson. (zef,) (Entered: 12/13/2018)
12/13/2018	<u>3</u>	SUMMONS (3) Issued Electronically as to U.S. DEPARTMENT OF HOMELAND SECURITY, U.S. Attorney and U.S. Attorney General (Attachments: # <u>1</u> Notice and Consent)(zef,) (Entered: 12/13/2018)

12/14/2018	<u>4</u>	GENERAL ORDER AND GUIDELINES FOR CIVIL CASES BEFORE JUDGE KETANJI BROWN JACKSON. The Court will hold the parties and counsel responsible for following these directives, and parties and counsel should pay particular attention to the Courts instructions for briefing motions and filing exhibits. Failure to adhere to this Order may, when appropriate, result the imposition of sanctions and/or sua sponte denial of non-conforming motions. Signed by Judge Ketanji Brown Jackson on 12/14/2018. (lckbj1) (Entered: 12/14/2018)
01/24/2019	<u>5</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed. U.S. DEPARTMENT OF HOMELAND SECURITY served on 12/20/2018 (Burday, Joshua) (Entered: 01/24/2019)
01/24/2019	<u>6</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed on United States Attorney General. Date of Service Upon United States Attorney General 12/21/2018. (Burday, Joshua) (Entered: 01/24/2019)
01/24/2019	<u>7</u>	RETURN OF SERVICE/AFFIDAVIT of Summons and Complaint Executed as to the United States Attorney. Date of Service Upon United States Attorney on 12/21/2018. Answer due for ALL FEDERAL DEFENDANTS by 1/20/2019. (Burday, Joshua) (Entered: 01/24/2019)
04/22/2019		MINUTE ORDER. On December 20 and 21, 2018, Plaintiff served the summons and complaint in this matter on the agency, the U.S. Department of Homeland Security, and the U.S. Attorney General. The deadline for Defendant to respond to the complaint—January 20, 2019—has passed, and Defendant has neither made an appearance nor answered the complaint. Accordingly, it is hereby ORDERED that Defendant shall, on or before May 6, 2019, file a notice with the Court explaining why its Answer should not be considered past due. The Clerk's Office is directed to send a copy of this Minute Order to Mr. Daniel Van Horn, Chief, Civil Division, U.S. Attorney's Office for the District of Columbia, 555 4th Street, NW, Washington, DC 20530. Signed by Judge Ketanji Brown Jackson on 4/22/2019. (lckbj2) (Entered: 04/22/2019)
05/06/2019	<u>8</u>	RESPONSE TO ORDER OF THE COURT re Order,,, Set Deadlines,,, (<i>Notice Regarding Service of Process and Motion to Set Due Date for Defendant's Response to the Complaint</i>) filed by U.S. DEPARTMENT OF HOMELAND SECURITY. (Attachments: # <u>1</u> Declaration of Daniel F. Van Horn, # <u>2</u> Proposed Order)(Simon, Jeremy) (Entered: 05/06/2019)
05/06/2019	<u>9</u>	MOTION to Set Due Date for Defendant's Response to the Complaint or, Alternatively for Nunc Pro Tunc Extension to Answer or Otherwise Respond to Complaint (duplicate of Docket Entry No. 8) by U.S. DEPARTMENT OF HOMELAND SECURITY (Attachments: # <u>1</u> Declaration of Daniel F. Van Horn, # <u>2</u> Proposed Order)(Simon, Jeremy) (Entered: 05/06/2019)
05/06/2019		MINUTE ORDER granting <u>9</u> Motion to Set Due Date for Defendant's Response to the Complaint. It is hereby ORDERED that Defendant shall answer or otherwise response to the Complaint on or before 6/3/2019. Signed by Judge Ketanji Brown Jackson on 5/6/2019. (lckbj1) (Entered: 05/06/2019)
06/03/2019	<u>10</u>	ANSWER to Complaint by U.S. DEPARTMENT OF HOMELAND SECURITY.(Simon, Jeremy) (Entered: 06/03/2019)
06/06/2019	<u>11</u>	ORDER setting Initial Scheduling Conference for 7/9/2019 at 10:00 AM in Courtroom 17 before Judge Ketanji Brown Jackson. Signed by Judge Ketanji Brown Jackson on 6/6/2019. (lckbj1) (Entered: 06/06/2019)
06/13/2019	<u>12</u>	Consent MOTION to Vacate <i>Scheduling Order and Initial Scheduling Conference</i> by U.S. DEPARTMENT OF HOMELAND SECURITY (Attachments: # <u>1</u> Proposed Order)(Simon, Jeremy) (Entered: 06/13/2019)
06/14/2019		MINUTE ORDER granting <u>12</u> Motion to Vacate Initial Scheduling Conference. It is hereby ORDERED that the Initial Scheduling Conference currently set for 7/9/2019 is VACATED and that, on or before 6/28/2019, the parties shall file a proposed schedule for briefing or disclosure. Signed by Judge Ketanji Brown Jackson on 6/14/2019. (lckbj1) (Entered: 06/14/2019)

06/26/2019	<u>13</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Simon, Jeremy) (Entered: 06/26/2019)
06/26/2019		MINUTE ORDER. In light of the representations in the parties' <u>13</u> Joint Status Report, it is hereby ORDERED that, on or before 7/30/2019, the parties shall file a further joint status report, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 6/26/2019. (lckbj1) (Entered: 06/26/2019)
07/30/2019	<u>14</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Simon, Jeremy) (Entered: 07/30/2019)
07/30/2019		MINUTE ORDER. In light of the representations in the parties' <u>14</u> Joint Status Report, it is hereby ORDERED that, on or before 9/5/2019, the parties shall file a further joint status report, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 7/30/19. (lckbj3) (Entered: 07/30/2019)
08/06/2019	<u>15</u>	NOTICE of Appearance by Merrick Jason Wayne on behalf of JOSHUA PHILLIPS (Wayne, Merrick) (Entered: 08/06/2019)
09/05/2019	<u>16</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Simon, Jeremy) (Entered: 09/05/2019)
09/09/2019		MINUTE ORDER. In light of the representations in the parties' <u>16</u> Joint Status Report, it is hereby ORDERED that, on or before 10/3/2019, the parties shall file a further joint status report, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 9/9/2019. (lckbj1) (Entered: 09/09/2019)
10/03/2019	<u>17</u>	Joint STATUS REPORT by U.S. DEPARTMENT OF HOMELAND SECURITY. (Simon, Jeremy) (Entered: 10/03/2019)
10/09/2019		MINUTE ORDER. In light of the representations in the parties' <u>17</u> Joint Status Report, it is hereby ORDERED that, on or before 12/3/2019, the parties shall file a further joint status report, which shall include a proposed schedule for further proceedings if litigation is going to be necessary. Signed by Judge Ketanji Brown Jackson on 10/9/2019. (jag) (Entered: 10/09/2019)